

Suits – LA – SRBC, Nandyal, Kurnool District - O.P.Nos. 212 & Batch (36 cases) pertaining to Bhanumukkala(V), Banaganapalli(M) - Sanction of decretal charges of Rs.82,59,042/- – Orders – Issued.

IRRIGATION&CAD(PW.LA.II)DEPARTMENT

Dated:22 /08 /2009.

Read :-

From the Chief Commissioner of Land Administration, A.P., Hyderabad, Letter No. SRP4/1232/2008, dt. 9/4/2009.

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ORDER :

The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad in the reference read above, has stated that the then Spl. Dy. Collector (LA), SSP., Unit-IV, Rajampet had acquired the land in Sy.No. 284/2 etc., for an extent of Ac. 47.01 of Bhanumukkala (V) etc., by fixing the Market value @ Rs. 12,500/- per acre for Cat.I lands and @ Rs. 17,500/- per acre for Cat.II lands through Award No. 17/91-92. Aggrieved with the Market value awarded by LAO, the awardees have filed Under Sec. 18(1) of LA Act in the Lower Court, the Principal Senior Civil Judge, Nandyal had delivered judgements enhancing the Market value from Rs. 12,500/- per acre to 1,08,750/- per acre for Category-I lands and from Rs. 17,500/- to Rs. 1,13,750/- per acre for Category-II in OP No. 212/93 & Batch (36) cases, dt. 28/11/03. Aggrieved with the market value enhanced by the Lower Court, the SDC has filed appeals in Hon'ble High Court for OP No. 212/93 & batch (36) cases against the orders of the Lower Court. The High Court granted interim stay condition to pay 50% of decretal amount of Rs. 82,97,241/- and High Court has dismissed the appeals filed by LAO and confirm the orders of Lower Court in AS No. 2103/04 & batch, dt. 8/2/07. The SDC, LA, PJP, Gadwal has filed SLP in the Hon'ble Supreme Court of India and the same were dismissed by the Supreme Court. The Special Collector, Srisailam Project, Kurnool has requested for sanction the Decretal amount of Rs. 82,59,042/-. The CCLA, AP., Hyderabad has recommended for an amount of Rs. 82,59,038/- (Rupees eighty two lakhs fifty nine thousand and thirty eight only) with reference to Court orders in respect of OP No. 212/93 and Batch (36) cases pertaining to Bhanukukkala (V), Banaganpalli (M), Kurnool Dist.

After careful examination of the matter, Government hereby accord sanction for an amount of Rs. 82,59,038/- (Rupees eighty two lakhs fifty nine thousand and thirty eight only) with reference to Court orders in respect of OP No. 212/93 and Batch (36) cases pertaining to Bhanukukkala (V), Banaganpalli (M), Kurnool Dist., subject to verification whether the reference under Section 18(1) of the L.A. Act is made to the lower Court after following all the guidelines / directions on the subject and in case it is detected that Sec. 18 reference was made contrary to the rules / guidelines issued by the Government / Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further the Special Collector should verify the calculations made by the Land

Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government / Special Chief Secretary to Government and chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower Court.

The Special Collector (LA), Srisailem Project, Kurnool is directed to follow the directions issued by the Hon'ble High Court on 30/04/2007 in W.P. No. 2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of OP Nos. 212/93 and Batch (36) cases for avoiding intervention of the middlemen.

The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under : "4701 –COL on Major and Medium Irrigation; 01 – Major Irrigation (Commercial); MH 123 –SRBC; G.H. 11- Normal State Plan; S.H. (27) Canals and Distributaries; 530 Major Works; 532 – Lands (charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

This orders issues with the concurrence of Finance (Works & Projects) Department vide their U.O.No.3034/F4(1)/09-1, dt. 01/06/2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT.

To
The Chief Commissioner of Land Administration,
Andhra Pradesh, Hyderabad.
The Spl.Collector, Srisailem Project, Kurnool
The ENC, I&CAD, Hyderabad.
The SDC, SRBC, Nandyal
The Director of Works Accounts, Hyderabad.
Copy to :
P.S. to Minister (M&MI).
Finance (W&P) Dept./ C.No. 9969/LA.II(1)2009.
SF/Scs.

// FORWARDED BY ORDER //

SECTION OFFICER.